REGINA -v- SATPAL RAM
NAVINDER SINGH SHINJI

NOTE FOR THE JUDGE

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1. The Defendants are both aged 21. Ram is accused of murdering Clarke Edward Pearce on the 16th November 1986 and Shinji with assisting Ram evade the Police following the attack.

2. The Scene:

The attack occurred inside The Sky Blue Restaurant Lozells Road, Lozells, Birmingham. Exhibit 1 is a plan of Lozells Road and The Sky Blue Restaurant. Exhibit 2 is a plan of the interior of the restaurant.

3. The Deceased

Clarke Edward Pearce was 22 years of age (d.o.b. 18.7.64). He was unmarried and lived with his mother at 41 Dovey Tower, Nechells, Birmingham. His fiancee was the witness Jacqueline Watson. He was a postman. He was 6'2" tall, muscular, and weighed 13½ stone.

4. The Accused

(a) Satpal Ram (d.o.b. 25.o.66). He was employed as a warehouseman in Handsworth. He is an Asian, dark skinned 5'11" tall with black collar length hair with a centre parting and a black moustache. See Exhibit 7 photo 1.

(b) Navinder Singh Shinji (d.o.b. 22.2.66) is of a similar build but his hair was "streaked". He lives at 41 Roland Road, Lozells and is employed on a Manpower Services Scheme.

5. The Background

(a) The deceased and 5 others went to the Restaurant in the early hours of the 16th November 1968 they were

Nadine O'Neill p.19 sister of deceased
Edward O'Neill p. 23 her husband
Jacqueline Watson p.26 deceased's fiancee
Sharon Badger p.29 friend of deceased
David Lea p.33 her boyfriend

They sat at table 10 see plan Exhibit 9 (p.7). The deceased sat with his back to the wall nearest the bar. Lea sat next to him and O'Neill beyond him. The 3 women sat opposite the men: Watson was opposite the deceased, Badger opposite Lea and O'Neill opposite her husband.

(b) Ram, Shinji and the witness Evelyn Rita Schneider p.73 sat at table 7. The two men sat with their backs to the window, Ram closest to the wall and Schneider sat facing them opposite Ram.

(c) The (independent) witnesses Mark Trace p.42 and Mark Stenion p.47 sat at table 1.

(d) The (independent) witness Alan Bishop p.37 sat at table 11.

(e) Other witnesses present were members of the restaurant staff

i.e. Shalim Ahmed: Cook p.51
Sultan Ahmed: Manager p.56
Ahad Miah: Waiter p.60
Abdul Mozomil: Waiter p.64
Ashker Rahman: Helper p.68

6. The Attack

The details of the events immediately preceding, during and following the attack vary from witness to witness. The salient facts are :-

(a) It is common ground that Indian music was being played in the restaurant and a dispute occurred between the deceased and Ram. The deceased asked for an English tape and Ram asked for the Indian music to be turned up. Derogatory and perhaps racial comments were made from the deceased's table.

(b) The deceased and Ram got to their feet and met and fought. Ram said "I'll kill you, you bastard" - Nadine O'Neill p.20. ~~he produced a knife~~. "I'm gonna cut you up " - S. Badger p.31. He produced a knife and repeatedly stabbed the deceased.

(c) Wine glasses were thrown

(d) Ram sustained a laceration to his left cheek

(e) Immediately following the stabbing Schneider took Ram to the toilet to attend to his injury. She put the knife down and does not know what happened to it thereafter. It has never been found.

(f) The deceased staggered to the doorway where he collapsed between the inner and outer doors.

(g) Shortly afterwards Ram, Schneider and Shinji left. As Ram went passed the prostrate body of the deceased he said "Is he dead ... well he's fucking gonna be" - Sharon Badger p.31. "I'm gonna kill you, you bastard" - David Lea p.34. "I hope I've killed him" - Mark Trace p.45

7. <u>The aftermath</u>

(a) The deceased was obviously gravely injured. Alan Bishop telephoned for an ambulance.

(b) Ram, Shinji and Schneider at the instigation of Shinji - see Schneider p.78 - took a series of backroads from the restaurant to Schneider's home address at 62 Ashwin Road Handsworth. This was done to avoid the Police. At the house it was decided that Ram needed medical treatment. Ram and Shinji therefore left together. They obtained a taxi ride from Soho Road, Handsworth - see Zaffter Iqubal p.134 - to West Bromwic h Hospital. Shinji paid the fare. At the